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CHERNIN ENTERTAINMENT, LLC
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SPRINGHILL ENTERTAINMENT LLC
LEBRON JAMES
STERLIN HARJO
SYDNEY FREELAND

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ROB GRABOW, an individual;
PARADISE VALLEY PICTURES
LLC, a Montana limited liability
company,

Plaintiffs,

v.

NETFLIX, INC., a Delaware
corporation; LEBRON JAMES, an
individual; SPRINGHILL
ENTERTAINMENT LLC, a Delaware
limited liability company; CHERNIN
ENTERTAINMENT, LLC, a Delaware
limited liability company; WISE
ENTERTAINMENT, INC., a California
corporation; LAKE ELLYN
ENTERTAINMENT, INC., a California
corporation; STERLIN HARJO, an
individual; SYDNEY FREELAND, an
individual; BRIT HENSEL, an
individual; and DOES 1-20, inclusive,

Defendants.

Case No. 2:24-cv-09822-FLA-PDx

**NETFLIX DEFENDANTS'
NOTICE OF MOTION AND
MOTION FOR LEAVE TO FILE
EARLY SUMMARY JUDGMENT
MOTION AND TO BIFURCATE
DISCOVERY ON PRIOR
INDEPENDENT CREATION
DEFENSE**

Judge: Hon. Fernando Aenlle-Rocha

Hearing Date: April 4, 2025

Hearing Time: 1:30 p.m.

NOTICE OF MOTION AND MOTION

**TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF
RECORD:**

PLEASE TAKE NOTICE that on April 4, 2025, at 1:30 p.m., or as soon thereafter as the matter may be heard, in Courtroom 6B of this Court, located at the First Street Courthouse at 350 W. 1st Street, Los Angeles, California 90012, before the Honorable Fernando L. Aenlle-Rocha, Defendants Netflix, Inc.; Chernin Entertainment, LLC; Wise Entertainment, Inc.; Lake Ellyn Entertainment, Inc.; SpringHill Entertainment LLC; LeBron James; Sterlin Harjo; and Sydney Freeland (collectively, the “Netflix Defendants”) will and hereby Move for Leave to File an Early Summary Judgment Motion and to Bifurcate Discovery on their Prior Independent Creation Defense. Specifically, and as explained in the Netflix Defendants’ concurrently filed Memorandum of Points and Authorities, the Netflix Defendants ask the Court to consider their prior independent creation defense as a threshold matter because it is discrete and case-dispositive, and therefore, the interests of justice and efficiency are best served by staging discovery and summary judgment motions to allow the Court to consider it before all other issues in the case. To that end, the Netflix Defendants ask the Court to bifurcate discovery and grant them leave to file an early summary judgment motion on the prior independent creation defense, while preserving their right to file a summary judgment motion on the merits generally at the close of discovery, if necessary.

The Netflix Defendants’ motion is based upon this Notice of Motion, the accompanying Memorandum of Points and Authorities, the Declaration of Molly Lens and the exhibits thereto, all pleadings and papers on file in this action, and such other arguments and evidence as may be presented to the Court prior to or at the hearing on this matter.

This Motion is made following the conference of counsel pursuant to L.R. 7-3, which took place on January 24, 2025.

1 Dated: March 7, 2025

O'MELVENY & MYERS LLP

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3 By: /s/ Molly M. Lens

Molly M. Lens

4 Attorneys for Defendants

NETFLIX, INC.

5 CHERNIN ENTERTAINMENT, LLC

6 WISE ENTERTAINMENT, INC.

LAKE ELLYN ENTERTAINMENT, INC.

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